

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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DALTON GREENE,

Plaintiff,

Civil Action No. 3:22-cv-01070-DJS

MARTIN O'MALLEY,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant¹

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**STIPULATION FOR ALLOWANCE OF FEES UNDER THE EQUAL ACCESS TO
JUSTICE ACT AND COSTS UNDER 28 U.S.C. § 1920**

IT IS HEREBY STIPULATED by and between Kathryn Pollack, Special Assistant United States Attorney, for Carla B. Freedman, the United States Attorney for the Northern District of New York, attorneys for the defendant herein, and Peter Gorton, attorney for the Plaintiff, that the Commissioner of Social Security pay to the Plaintiff attorney fees in the amount of **\$7,500.00**, pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in full satisfaction of any and all claims under the EAJA. The attorney fees may be paid to Plaintiff's counsel if Plaintiff agrees to assign the fees to counsel, and provided that Plaintiff owes no debt to the Federal Government that is subject to offset under the U.S. Treasury Offset Program.

Dated: December 22, 2023

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

By: /s/ Kathryn Pollack
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IT IS SO ORDERED:



Daniel J. Stewart
U.S. Magistrate Judge

Dated: 1/2/2024
Albany, NY